

Irish Church Act, 1869, Amendment (No. 3) Bill.

ARRANGEMENT OF CLAUSES.

Clauses.

1. Short title.
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7. Provisions of Act to apply to sales of interests already made to immediate lessees and tenants.

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TO

Amend the Irish Church Act of 1869, by extending to Lessees and Tenants holding under the Irish Church Temporalities Commissioners the right of purchasing the Fee Simple of their Holdings, subject to the Conditions allowed by section seven of the Act of the thirty-fifth and thirty-sixth years of Victoria, chapter ninety, to purchasers of Tithe Rent-charge. A.D. 1876.

WHERRAS it is expedient to amend the Irish Church Act, 1869:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. This Act may be cited as "The Irish Church Act, 1869, Short Title Amendment Act, 1876."

2. In this Act words and expressions to which by the Irish Church Act, 1869, meanings have been assigned shall have the same meanings respectively. Interpretation.

The term "principal Act" shall mean the Irish Church Act, 1869.

3. The Commissioners may at any time after the passing of this Act sell to their immediate lessee or tenant the fee simple of any land vested in them under the principal Act, and held immediately from or under them by virtue of any lease or tenancy, such sale to be in consideration of a sum equal to at least twenty times the amount of the general tenement valuation of such land, but in no case to exceed twenty-five times the amount of such valuation, less such sum in the pound as such lessee or tenant shall be ascertained by the Commissioners to have been, on an average of five years preceding the passing of the said Act, entitled to deduct for poor rates

[Bill 108.]

Sale of fee simple of lands to immediate lessee and tenant.

A.D. 1876. from the rent payable out of said land by him; and upon any such sale being so made the Commissioners shall by order declare the rent payable to them out of such land to be merged in the land out of which it issued, and the same shall merge and be extinguished accordingly. 5

Upon the application of any lessee or tenant so purchasing the Commissioners may by order declare his purchase money to be payable by instalments, and the land so purchased to be accordingly charged as from a day to be mentioned in such order for fifty-two years thence next ensuing, with an annual sum calculated at the 10 rate of *five pounds nine shillings* per centum on the purchase money, or for such less number of years as may be agreed upon at an equivalent annual sum, so as to discharge the principal and interest in such less number of years. The annual sum charged by such order shall have priority over all charges and incumbrances, 15 except quit or crown rents, and shall be payable by the same persons, and be recoverable in the same manner, and be subject to the same charges, if any, as the rent heretofore payable out of the same lands by such immediate lessee or tenant so purchasing.

"Lessee or tenant" for the purposes of this Act shall mean 20 the person for the time being who holds any land immediately from or under the Commissioners by virtue of any lease or tenancy.

Value of lessor's or tenant's interest to be settled by arbitration in certain cases.

4. Where any person being an immediate lessee or tenant desiring to purchase the fee simple of his land under this Act feels aggrieved 25 by the value set by the Commissioners on such fee simple, he may, if he think fit, refer such question to arbitration in manner prescribed by the principal Act.

Duty on sale of interests under this Act to be paid by Commissioners.

5. The amount of duty payable upon any order made by the Commissioners upon sale under this Act shall be paid by the Com- 30 missioners out of any funds at their disposal.

Deduction in respect of income tax in certain cases.

6. Where the repayment of any principal sum, together with interest thereon, is payable to the Commissioners by annual instalments, it shall be lawful for the Commissioners to make an allowance in respect of income tax on such part of such instalments 35 as are payable in respect of interest, according to the scale in the schedule to "The Irish Church Act, 1869, Amendment Act, 1872."

Provisions of Act to apply to sales of interests already made to immediate lessees and tenants.

7. The provisions of this Act shall be deemed to be and shall be an accretion to sub-section five of section thirty-four of the principal Act, and where the Commissioners have under the provisions of the 40 sub-section made any sale to an immediate lessee or tenant, he or his legal representatives may avail himself or themselves of section

four of this Act, and the Commissioners shall make such allowance and concessions to him or to his legal representatives as will place him or his said representatives in a position similar to that in which he would have been placed had the provisions of this Act been in force at the time of such sale, and such sale had been made thereunder.

A.D. 1876.

Irish Church Act, 1869,
Amendment (No. 3).

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To amend the Irish Church Act of 1869,
by extending to Lessees and Tenants
holding under the Irish Church Tem-
poralities Commissioners the right of
purchasing the Fee Simple of their
Holdings, subject to the Conditions
allowed by section seven of the Act
of the thirty-fifth and thirty-sixth
years of Victoria, chapter ninety,
to purchasers of Tithe Rentcharge.

(Prepared and brought in by
Mr. Parnell and Mr. Pigg.)

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[Bill 108.]

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